

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2011-090017

11/15/2011

HONORABLE JAMES P. BEENE

CLERK OF THE COURT

C. Gauna

Deputy

IN RE THE MARRIAGE OF
EDMUND QUIRONA

EDMUND QUIRONA
1020 S BRENTWOOD CT
CHANDLER AZ 85286

AND

RHODORA QUIRONA

RHODORA QUIRONA
1457 S MAYFAIR
MESA AZ 85204

DOCKET-FAMILY COURT-SE
FAMILY COURT SERVICES-CCC

**UNDER ADVISEMENT RULING
DECREE OF DISSOLUTION OF MARRIAGE**

The Trial in this matter was held on September 21, 2011. Following the Trial, the Court took the matter under advisement. The Court has since considered the evidence, including the demeanor of the witnesses, reviewed the exhibits as well as the case history, and considered the parties' arguments. After deliberation, the Court makes the following findings and enters the following orders:

The Court makes the following findings:

- A. At the time this action was commenced at least one of the parties was domiciled in the State of Arizona and that said domicile had been maintained for at least 90 days prior to the filing of the Petition for Dissolution of Marriage.
- B. The conciliation provisions of A.R.S. § 25-381.09 have either been met or do not apply.

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- C. The parties were married on July 21, 1991. By operation of law, the marital community is deemed to have terminated on January 14, 2011.
- D. The marriage is irretrievably broken and there is no reasonable prospect for reconciliation.
- E. Wife is not pregnant.
- F. This was not a covenant marriage.
- G. To the extent that it has jurisdiction to do so, the court has considered, approved and made provision for the maintenance of either spouse and the division of property and debts.

Based thereon,

DISSOLUTION OF MARRIAGE

IT IS HEREBY ORDERED dissolving the marriage of the parties and restoring each party to the status of a single person.

PROPERTY

Each party shall retain as his or her sole and separate property any furniture, furnishings, appliances, tools, art work, collectibles, and related personal property in that party's possession.

Each party shall retain as his or her sole and separate property any disclosed savings, checking or other financial account held in that party's name.

Marital Residence—1020 South Brentwood Court, Chandler, Arizona

At trial, Husband asserted that he should be awarded the marital residence as his sole and separate property. Husband also stated that Wife's portion of the equity in the marital residence should be offset by the community funds that Wife stole. Husband failed to provide evidence to substantiate this claim. Therefore,

IT IS ORDERED that the parties shall immediately list the marital residence for sale. Upon sale of said residence, the parties shall use any equity in the marital residence to pay off the home equity line of credit account ("HELOC"). If any monies remain after the HELOC debt is retired, said monies shall be divided equally between the parties.

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2010 Tax Refund

At trial, it was established that the monies the parties received from the 2010 tax refund was used to pay community debt. Therefore, neither party is entitled to any 2010 tax refund monies.

The Parties' Retirement Accounts

Each party waives and gives up their interest in any retirement benefits, pension plan or other deferred compensation plan of the other party.

Division of Personal Property

IT IS ORDERED that all property obtained by the parties during the marriage through the service of the petition for dissolution is community property and subject to division between the parties.

IT IS FURTHER ORDERED that the parties shall make of list of community property. This list shall be compiled no later than thirty (30) days from the filing of this order.

IT IS FURTHER ORDERED that from this initial list of community property each party shall make two (2) additional lists. The first list would contain community property items that shall be awarded to Wife. The second list would contain community property items that shall be awarded to Husband. Wife and Husband shall attempt to jointly prepare these two (2) lists of undisputed community property items. These lists shall be complied no later than sixty (60) days from the filing of this order.

IT IS FURTHER ORDERED that a list of disputed community property items be compiled. The parties shall then alternate selections from the disputed community items list. Wife shall have the initial choice from the disputed community items list. The division of all community property items shall be completed no later than ninety (90) days from the filing of this order.

Saving Bonds

At trial, Husband asserted that Wife spent certain saving bonds that were community property. Husband failed to provide evidence to substantiate this claim. Therefore,

IT IS ORDERED denying Husband's request that the Court enter judgment against Wife for the amount of \$53,000.00 regarding the community savings bonds.

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DEBTS

IT IS ORDERED that Husband shall be responsible for, indemnify and hold Wife harmless from the following debts and financial obligations:

- A. Unless otherwise provided herein, any financial obligations associated with or arising from any property awarded to Husband herein.
- B. Any debts or financial obligations incurred by Husband after the date of service of process.
- C. If the proceeds from the sale of the marital residence do not satisfy the HELOC debt, Husband is responsible for one-half of the HELOC debt.
- D. Husband shall be responsible for all debts incurred in his name after the termination of the marriage—January 14, 2011.

IT IS FURTHER ORDERED that Wife shall be responsible for, indemnify and hold Husband harmless from the following debts and financial obligations:

- A. Unless otherwise provided herein, any financial obligations associated with or arising from any property awarded to Wife herein.
- B. Any debts or financial obligations incurred by Wife after the date of service of process.
- C. Wife shall be responsible for the \$500.00 debt owed to American Express.
- D. If the proceeds from the sale of the marital residence do not satisfy the HELOC debt, Wife is responsible for one-half of the HELOC debt.
- E. Wife shall be responsible for all debts incurred in her name after the termination of the marriage—January 14, 2011.

RESTORATION OF NAME

Based upon the request of the Wife and pursuant to A.R.S. § 25-325(C),

IT IS ORDERED restoring Wife's name to Rhodora Cortez.

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IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

DATED the 15th day of November, 2011

/S/ HONORABLE JAMES P. BEENE

JAMES P. BEENE
JUDGE OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.